

REMARKS

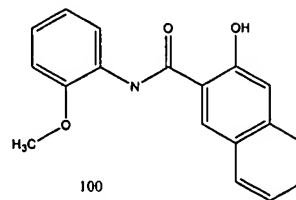
The Election/Restriction Requirement

The Examiner has required restriction of the claims of this application under 35 U.S.C. § 121 to one of the following categories:

- I. Claims 19-38, directed to composition and method of use;
- II. Claims 39 and 40 (partially), directed to non-heterocyclic compounds (wherein no heterocycle is recited in the definitions of R_1 - R_{11});
- III. Claim 40 (partially), directed to heterocyclic compounds (wherein at least one of the substituents defined by R_1 - R_{11} is a heterocycle).

The Examiner contends that the subject matter of category I differs from that of categories II and III since it is directed to a composition and method of use and that the compounds that make the composition are not coextensive with the compounds of categories II and III. The Examiner further asserts that the subject matters of categories II and III differ insofar as they are directed to structurally dissimilar compounds, ones wherein references anticipating one invention would not render obvious the others.

To expedite prosecution, applicants elect with traverse the claims of category I (claims 19-38) for substantive examination on the merits. Applicants also elect with traverse compound 100 as the species for substantive examination on the merits:

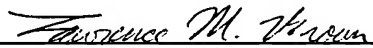


These elections are made expressly without waiver of applicants' rights to file for and obtain claims directed to the non-elected subject matter in divisional or continuing applications claiming priority and benefit from this application under 35 U.S.C. § 120.

Applicants will request rejoinder of claims 39 and 40 with the elected group if and when any of claims 19-38 is found allowable. Accordingly, applicants have not canceled these claims.

Should the Examiner feel that a telephone conference with applicants' representatives would assist the Examiner, he is invited to telephone the undersigned at any time.

Applicants request favorable consideration of the application and early allowance of the pending claims.


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